



External Stakeholders – Feedback and Complaints Policy

International Justice Mission

SECTION 1. PURPOSE

- 1.1 The purpose of this policy is to make clear the mechanisms available to external stakeholders to provide feedback and make Complaints to IJM Australia. For the purposes of this policy, IJM Australia’s stakeholders include its volunteers, beneficiaries, donors, supporters, the general-public, board members of IJM Australia, partner-agencies, training recipients, programme recipients, staff and volunteers of IJM globally (**Stakeholders**).
- 1.2 IJM Australia is committed to ensuring transparency and accountability to all Stakeholders in relation to feedback and Complaints regarding IJM Australia and its operations.
- 1.3 This policy does not cover internal feedback and/or Complaints by members of staff of IJM Australia, which are dealt with in IJM Australia’s Internal Grievance Policy.

SECTION 2. GUIDING PRINCIPLES FOR FEEDBACK AND COMPLAINTS HANDLING

- 3.1 IJM Australia is guided by the following key legislation/regulations and codes of conduct:
 - (a) The Australian Council for International Development (**ACFID**) Code of Conduct;
 - (b) The Fundraising Institute of Australia Principles and Standards of Fundraising Practice;
 - (c) *Privacy Act 1988* (Cth).
- 3.2 When dealing with feedback and Complaints, IJM Australia recognises and adopts the following guiding principles:
 - (a) **Confidentiality:** IJM Australia is committed to ensuring the confidentiality of all information related to Complaints, the handling process and the outcome of the Complaint. We will not reveal a Complainant’s name or personal details to anyone in or outside IJM

Australia, other than staff involved in handling the Complaint, without obtaining the Complainant's permission or unless we are otherwise required to disclose details by law, including where such disclosures must be made to protect the health and safety of others. In such cases disclosures will be limited to the minimum amount of information that must be provided under applicable laws. The privacy of individuals will be maintained in accordance with the *Privacy Act 1988* (Cth).

- (b) **Accessibility:** Complaints procedures will be easily accessible. Information regarding how and where to make a Complaint will be publicised to Stakeholders. Further, IJM Australia will publish a copy of this policy on its website and where appropriate, will inform stakeholders verbally or in writing about the existence of the policy and assist stakeholders in obtaining a copy of the policy.
- (c) **Objectivity:** Complaints will be treated with respect in a fair and equitable manner and IJM Australia will ensure procedural fairness is afforded to all parties. Conflicts of interest will be identified and appropriate steps will be taken to ensure that these are avoided and do not impact the process followed to investigate or resolve a dispute. In the case of Serious Complaints, several persons will be involved in the resolution of each individual Complaint to ensure that individual conscious and unconscious biases are limited.
- (d) **Responsiveness:** Complaints will be dealt with in a constructive and open manner that is timely and responsive. Complainants will be kept informed on the progress of their Complaint at major steps of the process and will be notified of the outcome of the Complaint. IJM Australia will strive to resolve Complaints in a timely and effective way and with the appropriate degree of urgency as assessed by IJM Australia.
- (e) **Stakeholder focused:** IJM Australia recognises that it works with and advocates on behalf of vulnerable Stakeholders who may encounter challenges when making a Complaint by virtue of English being a stakeholder's second language, disabilities or health issues (including mental health), low levels of education or literacy or by virtue of being under the age of 18 years of age. IJM Australia will use its best endeavours to ensure that vulnerable stakeholders do not experience undue barriers when providing feedback or making a Complaint and that feedback or Complaints raised by vulnerable stakeholders is handled in the same way as Complaints raised by other Stakeholders.
- (f) **Accountability:** IJM Australia will ensure that all feedback and Complaints are handled in accordance with this policy, and closed out effectively and appropriately within a reasonable timeframe.

SECTION 4. HOW TO PROVIDE FEEDBACK/MAKE A COMPLAINT

Making a Complaint/providing feedback

4.1 The following avenues are available for feedback or Complaints in Australia:

- (a) Online <https://ijm.org.au/contact-us/> (between the hours of 9am-5pm Monday-Friday);
- (b) In person to IJM Australia staff at events that are hosted by IJM Australia or at which IJM Australia is providing advocacy or promotion of IJM's work;
- (c) By email to: *Attention: Chief Operating Officer*, contact@ijm.org.au;
- (d) By post to: *Chief Operating Officer, IJM Australia Limited, PO Box 124, St Leonards NSW 1590*
- (c) By phone: 1300 045 669.

4.2 Complaints regarding suspected breaches of the ACFID Code of Conduct can be made to the ACFID Code of Conduct Committee. Information on how to make a Complaint to ACFID can be found on the ACFID website: <https://acfid.asn.au/content/complaints>

SECTION 5. COMPLAINTS HANDLING PROCEDURE

Complaints handling process

- 5.1** IJM Australia will receive and respond to all Complaints irrespective of who makes them or the nature of the Complaint.
- 5.2** IJM Australia recognises that in some circumstances, Complainants may wish to remain anonymous. Because such Complaints can alert us to problems that need fixing, we will accept them though it may not be possible to provide a remedy to an individual.

Who can receive a Complaint?

5.3  Complaints can be taken by any director, officer or staff member of IJM Australia.

5.4 IJM Australia acknowledges that there may be circumstances where a Complaint is raised with a person who is working with IJM in a voluntary capacity. In these circumstances, volunteers of IJM Australia are required to refer the Complaint to a member of IJM Australia staff as soon as is practical, so that the Complaint can be handled in accordance with the terms of this policy. Volunteers of IJM Australia must refer Complaints to staff of IJM Australia staff in a manner which preserves the confidentiality of the complaint, the manner in which the Complainant wishes for the Complaint to be handled and, if requested, the anonymity of the Complainant.

5.5 IJM Australia endeavours to ensure that volunteers receive training on this policy and the steps that they should take if they receive a Complaint to ensure that the complaint is handled in accordance with this policy.

How are Complaints handled?

5.6 When IJM Australia receives a verbal Complaint, we will:

- (a) Identify ourselves, listen, determine what the Complainant wants and, unless the Complaint expressly requests that the staff member not do so, record

details including:

- i. the name of the Complainant;
 - ii. the date, time and location the Complaint is received;
 - iii. a brief description of the Complaint and the expectations of the Complainant;and
 - iv. any other information considered to be relevant to the Complaint being made;
- (b) Confirm that we have understood and received the details;
 - (c) Show empathy for the Complainant, but not attempt to take sides, lay blame or become defensive;
 - (d) Inform the Complainant that any personal information received will be handled in sensitively and in accordance with the IJM Australia Privacy Policy which can be found on the IJM Australia website;
 - (e) Determine if the Complainant needs assistance in making the Complaint (e.g. whether an interpreter, support person or advocate is required taking account the needs of the Complainant).

5.7 For all Complaints we will:

- (a) Seek from the Complainant the outcome(s) they are expecting;
- (b) Make an **initial** assessment of the severity of the Complaint and the urgency of action;
- (c) Clearly explain to the Complainant the course of action that we will follow, including:
 - i. if preliminary inquiries need to be made or further consideration needs to be given; or
 - ii. if the Complaint is to be investigated.
- (d) We will not create false expectations, but assure the complainant that their Complaint will be treated seriously, and resolved in accordance with this policy;
- (e) Provide an estimated timeframe, or communicate a date by which we will come back to them;
- (f) Discuss the proposed action with the Complainant, and if they are not satisfied, consider alternative actions;
- (g) Register all Complaints (see paragraphs 5.14 – 5.15).

5.8 If the Complaint involves allegations of sexual misconduct, abuse, exploitation of child or adult beneficiaries the matter will be escalated under IJM's Safeguarding Policy.

5.9 If the Complaint involves allegations of corruption the matter will be escalated under

IJM's Whistleblowing Policy or Fraud and Financial Risk Management Policy.

5.10 Initial assessment of a Complaint:

- (a) We will assess whether there are any urgent health or safety implications that need to be addressed immediately;
- (b) We will assess whether the Complainant is vulnerable and whether they require additional support in relation to the Complaints Handling Process or more broadly;
- (c) We will assess whether there is more than one issue raised or whether there are multiple issues that need to be separately addressed;
- (d) We will assess as a matter of urgency whether the Complaint needs to be referred to be handled under the Safeguarding Policy, Whistleblower Policy or Fraud and Financial Risk Policy.
- (e) To determine the severity of a Complaint and how it will be managed, we will assess:
 - i. Health (including mental health) and safety implications;
 - ii. Whether the Complaint relates to conduct which could be subject to a criminal or civil penalty;
 - iii. Impact on the Complainant, other Stakeholders, IJM Australia and IJM Global;
 - iv. The complexity of the Complaint;
 - v. The extent to which all relevant facts are known or can be known by the Complainant;
 - vi. Whether the Complaint is a Serious Complaint.

5.11 In some instances, a Complainant may request that their identity is not divulged however it should be acknowledged that this may restrict the resolution of the Complaint.

Acknowledging a complaint has been received

5.12 Each Complaint must be acknowledged by a staff member of IJM Australia as practical after it has been received and assessed in paragraph 5.10 above.

5.13 Acknowledgement will also identify the next steps, the relevant timeframe, any issues that are beyond the IJM's mandate and, where necessary, support available during the process.

Registering complaints and record keeping

5.14 All Complaints dealt with under this policy, whether verbal or written, will be recorded in the Complaints Record Log. These records will be used to ensure Complaints are dealt with effectively, to monitor trends and to ensure continuous improvement of the complaints handling process and our work.

5.15 The following information will be recorded in the Complaints Record Log:

- (a) Information referred to in paragraphs 5.9, 5.10 and 5.13 of this policy;
- (b) The details of how we have investigated a Complaint, where required;
- (c) The details of how we have responded to and closed out a Complaint.

Assessing and reviewing a Complaint

5.16 When a Complaint is received, an assessment must be made about the appropriate course of action, which staff member will handle the Complaint, whether further investigation is required. The level of investigation will be commensurate with the seriousness and frequency of the Complaint.

5.17 IJM Australia staff should in the first instance contact the Lead, People Support within IJM Australia's People & Culture function who will resolve Complaints with a low level of severity. **If**, during or after initial investigation, the Lead, People Support concludes that the misconduct is in fact misconduct of a Serious Nature, s/he shall refer the matter to the APAC Employee Relations Lead and the Office of the General Counsel for coordination, advice, and assistance.

5.18 Serious Complaints that require investigation will be escalated to a member of IJM's Executive Leadership Team.

5.19 To conduct an investigation, the staff member handling the Complaint, or others who are assisting with the knowledge and approval of the CEO, will establish the facts, gather the relevant information and, if necessary, interview those with relevant information.

5.20 Where interviews are required, we will ensure that the vulnerabilities of interviewees are taken into account and that appropriate support is provided, including through interpreters or support people. In all cases persons attending an interview will:

- (a) receive reasonable notice of the interview (at least one full business day);
- (b) be given the option not to attend;
- (c) be informed that they are welcome to bring a support person with them to the interview;
- (d) be given the opportunity to review any documents or other materials that are relevant to the investigation over a reasonable period of time and outside of the interview; and
- (e) be informed during the interview about their obligations of confidentiality in relation to the investigation, as well as IJM's obligations to them in relation to confidentiality and privacy.

5.21 Once the investigation is completed, a recommended course of action will be made by the staff member handling the Complaint to the COO and if necessary escalated to the CEO and Board of IJM Australia.

5.22 If the outcome of the investigation is that there should be action taken in relation to a staff member then the appropriate disciplinary and other organisational policies and procedures will be followed, including IJM Australia's Safeguarding Policy, Whistle Blowing Policy and Fraud and Financial Risk Management Policy.

Remedy or systems improvement

5.23 At times, remedies and systems improvement may arise as a consequence of the handling of a Complaint. In such circumstances the IJM Australia staff member who is handling the Complaint will take the following steps:

- (a) Consider if any remedy and/or systems improvement is warranted or if no action is required;
- (b) In the case of Serious Complaints, seek approval in writing from the IJM Australia CEO, about any recommended actions, including for any recommendation that no action is required;
- (c) Implement remedies and/or systems improvements according to recommended and approved timetables;
- (d) Inform the complainant of the outcome.

5.24 The above steps may also apply to suggestions/feedback and Complaints that are not considered to be Serious Complaints, with the exception that recommended.

Informing complainant of outcome

5.25 Once a Complaint has been resolved, the Complainant will be advised of the outcome. The advice to the Complainant will be verbal or in writing, depending on the seriousness of the Complaint and whether any action was taken in response, taking care to ensure the privacy of any individual involved in the matter. Where no action was taken in response, the complainant will be provided the reasons for this and, if necessary, offered other avenues for support.

Timeframe for response

5.26 IJM Australia will seek to resolve Complaints as quickly as possible and will provide Complainants with progress updates at major steps of the process.

5.27 For less serious Complaints, IJM Australia will endeavour to resolve matters, or provide an update with an expected timeframe, within five working days.

5.28 For more serious Complaints, IJM Australia will endeavour to resolve matters, or provide an update with an expected timeframe, within one month.

Requests for further action

5.29 If the Complainant is unhappy about the response received from IJM Australia or if they believe proposed steps have not been implemented they may appeal to the next management level.

5.30 If the matter involves an executive level manager, it will be referred to the CEO. If the Complaint involves the CEO, it will be referred to the Chair of the Board and

IJM's Regional President of Asia Pacific. Any matter referred to the CEO should automatically be referred to the APAC Regional Leadership for support.

Complaints by children

5.31 In circumstances where the Complainant is a child (being an individual under the age of 18 years), IJM Australia is committed to providing an appropriate forum for that child to make a complaint. IJM Australia will take special care to ensure our complaints procedures are accessible to children by:

- (a) Designating a child protection focal person who will manage incident reports received by IJM Australia, in coordination with the Safeguarding Officer at IJM Global.
- (b) Ensuring that every Complaint submitted by a child or concerning a child's rights violation receives a response to show that the Complaint has been taken seriously and acted upon and, if not, stating the reasons for this and providing other avenues for support;
- (c) Providing a supportive environment for the child to make his/her Complaint including through face-to-face meetings (noting the child must always be accompanied by a supervising adult);
- (d) Providing the child with access to an advocate or a support person if required;
- (e) Making an informed decision about the extent to which the child's parent or parents should be involved in the handling of the Complaint. Unless there are exceptional circumstances or the child objects, a child's parent or parents will generally be called upon to act as support persons to the child and the child's parents will be informed about the Complaint and steps that IJM Australia is taking to resolve the Complaint;
- (f) Maintaining confidentiality to protect the child both during the complaints process and in the future and, if it is necessary or appropriate to inform the child's family, guardian or the justice system, informing the child of this and providing them with an explanation;
- (g) **Informing** the child of the process by communicating in a developmentally appropriate language/dialect that s/he understands regarding how Complaints are handled, avenues for interim support, the progress of major steps of the process and the outcome of the procedure including the factors motivating the decision;
- (h) At all times, keeping the child's best interests as the central consideration.

5.32 Complaints or expressions of concern that relate to potential instances of sexual misconduct, abuse or exploitation of children will be escalated immediately, and resolved under the Child Safeguarding Policy.

SECTION 6. PUBLICATION OF THE POLICY

- 6.1** IJM Australia will inform its stakeholders and members of the public of their ability to make a Complaint to IJM Australia as well as to the ACFID Code of Conduct Committee for suspected breaches of the Code by IJM Australia as a signatory organisation.
- 6.2** This policy will be included on the IJM Australia website and shared with relevant Stakeholders, including partner offices.
- 6.3** We will take special care to facilitate Complaints from vulnerable populations including children and marginalised groups. Our partner offices will assist in communicating information regarding the Complaints procedure to their clients, who are often vulnerable members of the community. In addition to providing this information online, it will also be communicated via posters and leaflets distributed to communities.

SECTION 7. TRAINING ON POLICY

- 7.1** New staff and volunteers will be provided with this policy as part of their induction to the organisation. The policy will also be available for all staff on a nominated share drive and placed on IJM Australia's website.
- 7.2** Training of and/or communication to staff and volunteers in relation to any update or change to the policy will also be provided.

SECTION 8. BENEFICIARIES AND STAKEHOLDERS OF INTERNATIONAL PROGRAMS

- 8.1** IJM Australia may receive Complaints relating to one of our directly supported programs or Field Offices by a community member (including children and youth), implementing partner or government official.
- 8.2** IJM Australia's Field Offices are responsible for responding to Complaints relating to IJM Australia's operations in each respective country. Complaints made directly to IJM Australia concerning a Field Office will be referred to the head of that Office or division concerned.
- 8.3** IJM Australia may receive Complaints relating to *programs of the IJM global team or any IJM Field Office* by a community member (including children and youth), implementing partner or government official.
- 8.4** IJM Field Offices are responsible for responding to Complaints relating to operations in each respective country. Complaints made directly to IJM Australia concerning a Field Office will be referred to the head of that Office or division concerned.
- 8.5** Serious Complaints of misconduct related to IJM Field Offices (particularly relating to fraud or sexual exploitation and abuse) will be managed according to established IJM reporting guidelines and will be directed to the IJM's Office of General Counsel, through legal@ijm.org.

SECTION 9. RESPONSIBILITIES

- 9.1 IJM Australia’s Executive Management Team (Leadership Team) is responsible for ensuring that IJM Australia responds to Complaints according to IJM Australia’s policy and procedures.
- 9.2 The Chief Executive is ultimately responsible for Complaints which cannot be resolved by the Feedback Officer or Leadership Team.
- 9.3 The Chair of the Board is responsible for managing Complaints relating to the Chief Executive.

SECTION 10. DEFINITIONS

- 9.4 **“Complainant”** means any person or organisation making a Complaint.
- 9.5 **“Complaint”** includes (but is not limited to) an expression of dissatisfaction concerning any aspect of IJM Australia’s work including, but not limited to its standards of services/actions/lack of actions/work/application of values, missions and/or objectives of IJM Australia, behaviour of IJM Australia staff, criticism of a fundraising campaign/action, concerns over inappropriate use of funds, breaches of the ACFID Code of Conduct, organisational practices/procedures, complaints about international programs and field work undertaken by IJM Australia.
- 9.6 **“Complaint Records Log”** means the document referred to in paragraphs 5.14 – 5.15.
- 9.7 **“External Stakeholders”** means stakeholders of IJM Australia that are not IJM Australia staff. This includes, but is not limited to supporters, donors, the general public, beneficiaries, official bodies and partners.
- 9.8 **“IJM Australia staff”** is a reference to all individuals employed by IJM Australia including full time and part time staff, permanent staff, casual staff, agents, volunteers, secondees and (for the purposes of this policy only) Board members.
- 9.9 **“Our”, “IJM Australia”, “International Justice Mission”, “IJM”** is a reference to IJM Australia Limited (except as provided below in relation to the meaning of “Field Office”).
- 9.10 **“Field Office”** means an Office of International Justice Mission that is based in a developing country.
- 9.11 **“Remedy”** is action taken to correct or rectify a situation for an individual/organisation where it is identified that they been treated poorly or unfairly. A remedy may involve one or more of:
- (a) Providing explanation and reasons if not previously provided;
 - (b) Dismissing the complaint if the decision accords with relevant policy or procedure concluding that the complaint has been substantially resolved;
 - (c) Reaching a compromise solution;
 - (d) Giving an apology or providing a service not previously provided; and/or

(e) Addressing or referring the issue for systems improvement.

9.12 “Serious Complaint” means a Complaint which involves conduct that if established would involve:

- (a) a material breach of IJM’s values, culture or polices;
- (b) a material breach of law or regulation;
- (c) the creation of risk to the health, safety or wellbeing of others; or

any Complaint which requires a detailed investigation or which is otherwise deemed to be a Serious Complaint by IJM Australia’s Chief Operating Officer.

9.13 “Systems improvement” is the improvement of policies, procedures, organisational culture, or the like to prevent future problems. Systems improvement may involve one or more of:

- (a) Referral for consideration of policy change;
- (b) Policy development or revision;
- (c) Process improvement, such as changes to procedures and workplace practices;
- (d) Program review and consideration of program amendments/change;
- (e) Expert assistance, staff development or performance improvement;
- (f) Improved implementation, such as issuing updated documentation or reminders;
- (g) Monitoring compliance;
- (h) Seeking guidance from IJM Australia’s global counterparts or partners for assistance and/or guidance with any of the above; and/or
- (i) Other action to ensure that similar circumstances are handled appropriately in future.

**POLICY
VERSION**

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